



FIGURES IN RIOT CASE -- Attorney A. L. Wirin, left, with Mrs. Rena Frye, accused of intertering

with officers who arrested her sons, Ronald, center, and Marquette, right. Incident touched off riot.
Times photo

Negroes Whose Arrests Began Riot Alter Pleas

Two Deny Guilt and Give Their Version of Incident That Led to Racial Disorders

BY PAUL BECK
Times Staff Writer

Two Negro brothers whose arrests touched off the south Los Angeles riot asked Thursday to change their guilty pleas to innocent and for the first time publicly gave their version of the incident.

Marquette Frye, 21, and his brother, Ronald, 22, appeared in Municipal Court with their mother, Mrs. Rena Frye, 49, and their two attorneys.

Affidavits filed with the court charged that the brothers and their mother, of 11620 S. Towne Ave., were beaten by officers the night of Aug. 11—the start of five days of bloody rioting, looting and property destruction.

Had Pleaded Guilty

Judge Mary E. Waters—who had been scheduled to sentence the brothers—continued the case to Oct. 1 after attorneys A. L. Wirin of the American Civil Liberties Union and Stanley R. Malone Jr. moved that their guilty pleas be set aside so they could plead innocent.

Marquette Frye had pleaded guilty to misdemeanor drunk driving, malicious mischief and battery. His brother had pleaded guilty to battery and interfering with officers.

Their pleas were entered the day after their arrest by California Highway Patrolmen.

Their mother, who was arrested at the same time, has pleaded innocent to interfer-

ing with an officer. Her trial is scheduled to open today, but Wirin said attempts may be made to delay it so all three can be tried together.

In a copy of a statement given to the probation department that was filed with Judge Waters, Marquette Frye gave this version of the initial incident:

His brother had just been discharged from the Air Force and the two drove their mother's car to the home of two girls where they had "a few drinks of vodka and orange juice . . ."

Stopped by Officer

They left about 6 p.m. and were stopped by a motorcycle officer (apparently a California Highway Patrolman) at Avalon Blvd. and 116th St. about half a block from their home.

Marquette Frye said "The officer was very friendly, courteous and nice" and that when asked for a driver's license, he told the officer he had lost it.

The officer also asked if Marquette Frye had had anything to drink "and I advised him that I did have two drinks many hours earlier."

By now, about 10 to 12 per-

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Two Arrested at Riot Start Change Pleas

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sons had gathered and more began arriving.

"It appeared that the officer, who was very friendly, was letting me go, when a California Highway Patrol officer, in an automobile . . . came around to see what was happening.

"The new officer was very nasty and made some nasty remarks as he was passing me by. At this time my mother came down the street and she and the new officer got into words."

More People

While this was going on, more people arrived along with more police.

"The crowd so far," said Marquette Frye, "was friendly and joking and ribbing the officers a bit; then when the officer in the automobile went to his car and got out a shotgun it infuriated the people and they started to yell at him and he yelled back, and my mother said that she is my mother to the officer and the first officer then twisted her arm behind her back and seemed to lift her off the ground, and put handcuffs on her, causing her to cry and scream, due to the pain.

"The crowd then got boisterous and started to mill around and push in and were hollering to 'leave the old lady alone.'"

Swings Stick

He said his brother asked the officer "not to hit his mother" and that then the officer "started to swing a night stick and hit him (the brother) many times about the stomach area. Another officer grabbed him and started to hit and beat him in the stomach."

Marquette Frye said he was still standing by the car when "one of the officers came up against me and hit me extremely hard on the front of my head, causing me to become extremely dizzy and then I noticed an officer standing next to me with a shotgun pressing against my temple.

"At the same time somebody again was striking me on the head with a stick," he continued.

The youth said he passed out and awakened in the officer's car with people "all screaming and hollering and there seemed to be 100 or more people gathering around asking them not to beat us.

Passes Out

"I was then struck again and kicked and passed out, and it seems a day or more passed before I knew what was going on."

According to the CHP report, officers Lee Minikus and Bob Lewis stopped the Frye car, the brothers resisted arrest and Mrs. Frye heaped abuse on the officers.

About 200 Negroes gathered, the CHP said, and during a scuffle the shirt was torn from the back of one of the officers.

The two officers radioed for assistance and about 20 city policemen arrived. Violence spread quickly.

In a brief statement to newsmen Thursday, Marquette Frye said he did not see any Los Angeles police at the scene.

The youth, in another affidavit filed with Judge Waters, said he initially pleaded guilty "because I was sick; my left forehead was bleeding and I thought if I pleaded guilty I would get out of jail."

Doctor Quoted

After he was released on bail, he said Dr. William T. Grant, a Sierra Madre neurosurgeon, "advised me that the pain in my head was caused by the pressure of fluid on my brain."

Ronald Frye, in his affidavit, said he pleaded guilty because his brother was sick "and throwing up blood; I thought that by pleading guilty my brother and I would get out of jail and my brother could obtain medical attention."

The affidavits also disclosed that Ronald Frye and his mother "were asked" to see Mayor Samuel W. Yorty on Aug. 27 and that "we told him about the actions of the arresting officers . . ."

Two days later, the mayor issued a statement criticizing the way the CHP made the arrests and asked for an investigation by the district attorney.

Judge Urges Approval of Constitution Change

Declares Prop. 1-A Would Turn Basic Law Into Workable Framework for Government

BY GENE BLAKE
Times Staff Writer

Voter approval of Proposition 1-A, the constitutional revision measure on the November ballot, was urged Friday at the closing session of the State Bar convention in the Disneyland Hotel.

"We have to bring the state Constitution up to standards so that it can be a workable framework for state government," Orange County Superior Judge Bruce W. Sumner said in a panel discussion.

"We are delighted not to have any organized opposition," added Sumner, who is chairman of the Constitution Revision Commission.

Sumner conceded the most controversial feature is a provision that the Legislature set the salaries of its members. A companion statute fixes the figure initially at \$16,000 annually.

"We do now have a full-time Legislature, whether we like it or not," he said.

Mentions Trust

"To be a member of the Legislature is a fulltime job."

"If we are going to trust the legislators to handle a \$4.5 billion budget, they should be given the responsibility to deal with their own salary."

However, Sumner noted that the proposal contains several safeguards, including a conflict-of-interest statute described as "the toughest in the nation."

"If it could be criticized for anything, it would be for its potential restrictive features," he said.

"It looks like it will be a workable law."

Proposition 1-A revises articles dealing with the separation of powers and the legislative, executive

and judicial branches of government, comprising about one third of the Constitution. It cuts 22,000 words down to about 6,000.

75% Cut Proposed

Burnham Eversen of San Francisco, vice chairman of the commission and a past president of the State Bar, said the present judiciary article is about the same length as the entire U.S. Constitution. He said the proposed revision will reduce it by about 75%.

"I very much hope you will all vote for Proposition 1-A," he told the lawyers and judges.

A third member of the commission, Ralph N. Kleps, director of the administrative office of the California courts, said it would be impossible to achieve real revision without lumping several articles together to be voted on at one time.

Finish in 4 Years

Kleps said the commission hopes to complete its work on the remaining two thirds of the Constitution within four years, so that it may be voted on at the next two general elections.

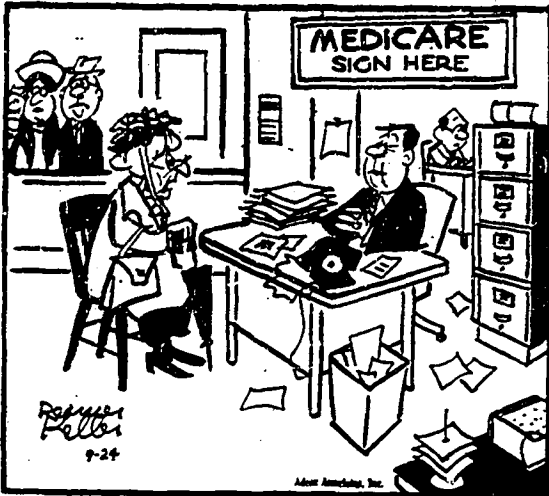
The Conference of California Judges endorsed Proposition 1-A earlier this week. The Board of Governors of the State Bar approved the judiciary article.

Sumner said other endorsements have been received from the board of directors of the State Chamber of Commerce, the League of California Cities, the California Supervisors Assn., other organizations and newspapers.

OH, DOCTOR!

By Reamer Keller

\$15,000 FINE, PROBATION



Cardinal Chides Bishop Pike for Abortion View

James Francis Cardinal McIntyre said Friday, in a continuing dispute among churchmen over legalization of abortions, that his doctrines are "in complete agreement" with those of St. Thomas Aquinas.

James A. Pike, auxiliary bishop of the Protestant Episcopal diocese of California at San Francisco, said Thursday that the Roman Catholic archbishop of Los Angeles had been inflammatory and in disagreement with St. Thomas when he called abortions "tantamount to murder."

Pike's Opinion

St. Thomas, Bishop Pike said, did not consider the human fetus to be a person before it had quickened, or begun to move in a life of its own.

"St. Thomas would be amazed to think he was quoted as an authority on abortion," Cardinal McIntyre said Friday in replying to Bishop Pike's doctrinal criticism.

"Recognition of the moment of life is not the issue," the cardinal said. "The issue is that life is taken."

"It is noticeable that Bishop Pike does not deny, nor does the responsible medical profession deny, that the circumstance proposed in the law can be

and often will be murder," he said.

"Does Bishop Pike seek to justify murder? Surely this would not be the doctrine of the church which has so highly honored him."

Bishop Pike is supporting passage of the Beilenson bill to permit therapeutic abortions in cases of pregnancies resulting from rape or incest, or when the unborn child is threatened with probable malformations.

Popes Gregory XIV and Innocent III as well as St. Thomas considered the fetus to have become a person at the time of quickening, Bishop Pike said. An abortion before that time would not then be considered murder by them.

Great Books Meeting

SAN LUIS OBISPO—A new Great Books discussion group will hold its first meeting at 8 p.m. Thursday in the City Library.

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MRS. RENA FRYE FINED \$250, GIVEN PROBATION

Mrs. Rena Frye was fined \$250, given a suspended 30-day jail sentence and placed on two years' probation Friday for her involvement in an arrest incident that many believe sparked the 1965 Watts riot.

The sentence was imposed by Municipal Court Judge George M. Dell after attorneys for Mrs. Frye entered a no contest plea to charges that she disturbed the peace during the arrest of her sons, Ronald and Marquette Frye.

Last Nov. 1, a jury found Mrs. Frye guilty of interfering with police during the arrests, and she received the same sentence as Friday's — also from Judge Dell.

Later, however, her November conviction was reversed by the Superior Court Appellate Department, which observed that a new trial would permit

the determination of guilt or innocence without "the disrupting influences and environment which infected the first trial."

Mrs. Frye chose to enter the nolo contendere plea in a court hearing instead of having a new jury trial.

The incident leading to the charges against Mrs. Frye occurred near her home when a California Highway Patrol officer stopped a car driven by Marquette Frye and sought to arrest him on charges of drunk driving. Ronald Frye was also in the auto.

Officers testified that Mrs. Frye placed herself between them and Marquette in an effort to prevent his arrest.

Administrator Named

LA MESA—Mel Gherardini has been appointed administrator of Mt. Helix General Hospital.

Thieves Trapped by Computer Sentenced

A Glendale couple were placed on 10 years' probation, fined \$15,000 and ordered to continue psychiatric treatment Friday after losing a battle of wits with a computer.

Michael L. Klemens, 31, a graduate of the University of Pennsylvania's school of finance, and his wife, Deanne, 27, a Bryn Mawr political science graduate, pleaded guilty last May to three counts of grand theft in connection with an elaborate scheme to bilk the State Department of Employment.

Klemens told Superior Court Judge Richard F. C. Hayden that he had devised the scheme—which

involved the assistance of his wife, a disability insurance officer in the employment department — "to prove my cleverness to my wife and myself."

The scheme, investigators said involved the filing of false disability claims, using the names and Social Security numbers of dead persons.

For 19 months, Klemens said, the scheme worked like a charm, returning \$20,339 to him between January, 1964 and July, 1965.

But Klemens had overlooked the existence of a newly processed data

processing machine, which state investigators asked during a routine audit if any claims were being filed in the names of dead persons.

"For the first time ever," a state spokesman said, "the machine answered 'Yes.'"

The Klemens were arrested soon afterward. They were sentenced by Judge Hayden.

Annexation Fails

BISHOP — An election to consider the annexation of an area south of here was defeated this week by a vote of 17-5.

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Los Angeles Times 5
SAT., SEPT. 24, 1966—Part III

Highway Patrol Bldg.

Rising at Oceanside

OCEANSIDE — Ground has been broken here for new California Highway Patrol facilities to serve the northern coast of San Diego County and the southern tip of Orange County.

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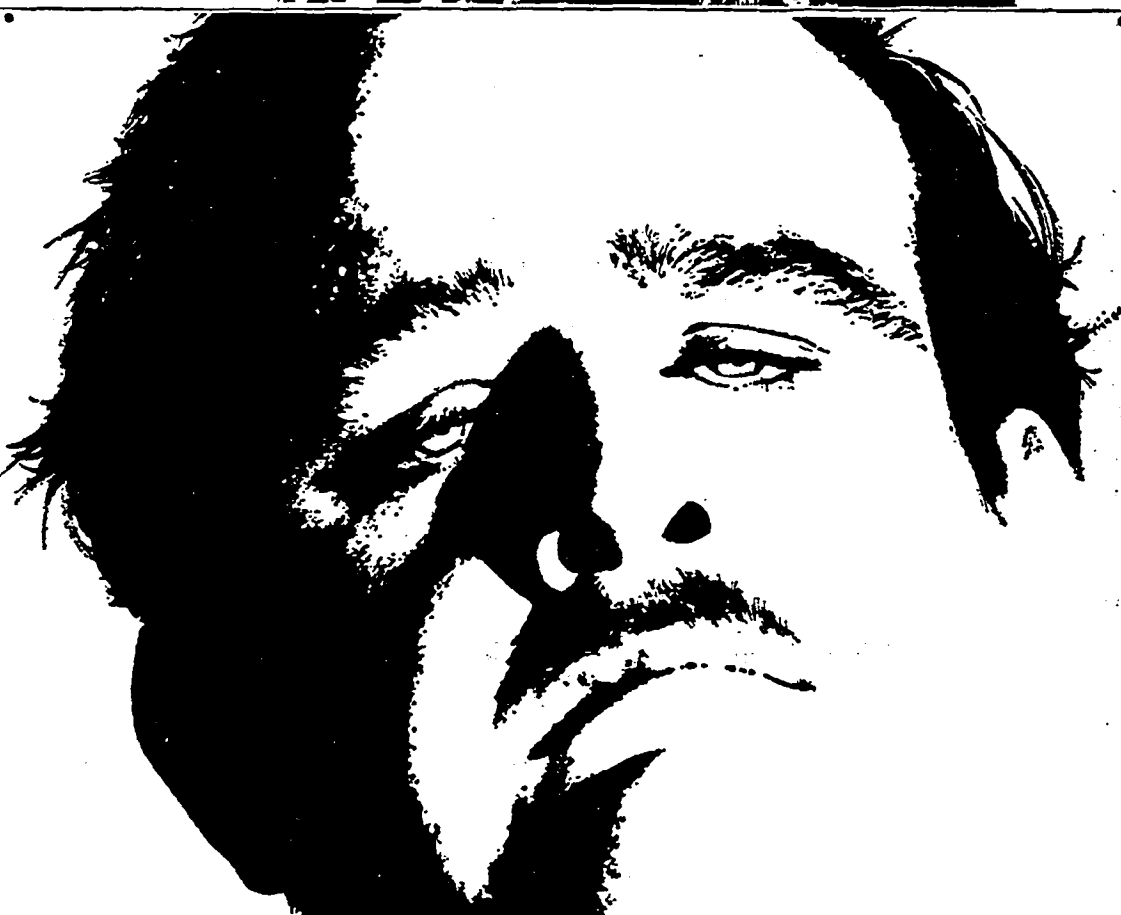
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ON THE SIDELINE—Marquette Frye, right, whose arrest touched off recent riot, views a State Senate fact-finding committee hearing into the case with brother, Ronald, and mother, Rena, who also were arrested. None of the three testified. In rear are attorneys Stanley R. Malone, left, and A. L. Wirin. Times photo by John Malmin

Bullhorn Used in Riot Called Tool of Police

Councilman Says Device Was Borrowed by City Employee Trying to Help Officers

BY ERWIN BAKER
Times Staff Writer

The bullhorn cited by Police Chief William H. Parker as evidence of organized incitement of the south Los Angeles riot actually was a police bullhorn borrowed by a person trying to help the police, City Councilman Billy G. Mills said Wednesday.

Mills added that he was so disgusted with "useless" testimony submitted to the council's Police, Fire and Civil Defense Committee's riot investigation that he would launch a separate investigation by the Personnel Committee, which he heads.

Parker and Councilman Thomas Bradley clashed repeatedly at Tuesday's hearing over Bradley's fruitless attempts to get the chief to identify the individuals using the bullhorn.

Checked Out of Station

Mills said the bullhorn was checked out of the 77th Street Police Station to a responsible person who is a University of California graduate and a city employee. Mills declined to give his name.

The man used the bullhorn to direct traffic at 103rd St. in an effort "to keep Caucasians from getting their heads blown off," the councilman said.

But Lt. Frank J. Beeson, acting commander of the 77th Street Station, flatly denied that a bullhorn had been checked out of the station during the riot.

Mills replied he had "very reliable information" that it had, and added: "I am kind of surprised that they won't accept responsibility."

Testimony Recalled

Parker said during testimony Monday and Tuesday before the council's committee that use of the bullhorn was an example of the type of organized effort used to escalate the riot.

But the chief refused to identify any organization which may have contributed to the riot.

Parker appeared Wednesday before a State Senate committee investigating the role of the California Highway Patrol in a drunken driving arrest of Marquette Frye which is generally considered the start of the riot.

Also on Wednesday, the council committee turned its attention to a police raid on the Black Muslim temple, 7606 S. Broadway, during the waning stages of the riot on Aug. 18.

Dep. Police Chief Thomas Reddin recounted the events surrounding the raid on Muhammad's Mosque of Islam No. 27, and a similar raid an hour later at the United Veterans Club, 5874 S. Broadway.

Both raids, said Reddin

RIOT HEARING

Continued from Third Page
were in response to sniper fire directed at police.

However, Mills said he had information that the mosque raid was deliberately provoked by false telephone calls to police that Negroes were carrying guns into the building. Mills said he didn't know who made the calls, but he didn't think they were made by Negroes or by police.

The councilman was highly critical, however, of the heavy barrage of gunfire leveled at the mosque and veterans club by police and other officers.

Destruction Hit

"It seems to me they were trying to destroy both of the buildings," he said. "The responses were totally unreasonable and there was evidence of total destruction, such as the smashed-in TV sets (inside the mosque)."

Reddin defended police action, saying large-scale force was necessary to overcome large-scale resistance.

However, the deputy police chief prefaced his report by pointing out that officers had been working long hours in the riot and had been "exposed to things unheard of in the history of the city."

Reddin said little, if anything, that hadn't already been reported about the mosque raid, but he won the praise of two Negro councilmen, Mills and Bradley, for his attitude.

"He is the kind of person I like to talk to," said Mills

"He was very co-operative and I appreciate it. He wasn't screaming as the chief did."

But Mills added, "It doesn't mean I'm satisfied with the evidence or the way the police responded."

Later, Mills announced that his committee would look into an investigation of conduct of city employees and policies of city departments in relation to the riot.

He said the committee would start at 1:30 p.m. Monday by studying the raid on the mosque, and complained that testimony given at the council hearing was "in direct conflict with the sworn statements of police personnel" regarding the mosque.

Another Hearing

Another riot-connected hearing was held at the State Building, where the State Senate Fact-Finding Committee on Transportation and Public Utilities heard from Chief Parker and California Highway Patrol Commissioner Bradford M. Crittenden.

Parker reiterated criticism of a drunken driving

arrest handled by the California Highway Patrol on Aug. 11 which resulted in the incident that started the riot.

The chief said he regretted criticizing the CHP but, "I don't want to see the LAPD take criticism for something it did not do."

Crittenden contended that the arrest was handled properly and that CHP officers are given thorough training in making such arrests.

Family Present

The alleged drunken driver, Marquette Frye, and his mother, Rena, and brother, Ronald, who were arrested along with him in a subsequent melee, were at the hearing but didn't testify.

Sen. Randolph Collier (D-Yreka), committee chairman, said the Fries had asked for immunity from prosecution of charges facing them in return for testifying. But Collier said it would "not be proper to interfere with the judicial processes."

Attorney A. L. Wirin, who along with attorney Stanley R. Malone accompanied the Fries, said the hearing "turns out to be one-sided since only officials were called."

Wirin said the Fries would have testified that of-

ficers provoked the crowd by being brutal.

The committee also heard from Fire Department Battalion Chief Gene Mahoney who testified that 104 pieces of fire apparatus were damaged in the riot, three by Molotov cocktails. Mahoney suggested a law making it a felony to attack an emergency vehicle.